

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF SOUTH CAROLINA**

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**BEAUFORT DIVISION**

BROADCAST MUSIC, INC.; SONY/ATV )	
SONGS LLC d/b/a SONY/ATV TREE )	
PUBLISHING; HOUSE OF BRYANT )	
PUBLICATIONS, LLC.; SONY/ATV )	
SONGS LLC d/b/a SONY/ATV ACUFF )	
ROSE MUSIC; CORAL REEFER MUSIC; )	
NEW EXECUTIVE MUSIC; MUD BLUFF )	
MUSIC; SONGS OF UNIVERSAL, INC.; )	
PAUL SIMON MUSIC; MUSIC IN )	
GENERAL; NEW MEDIA MUSIC INC.; )	
PAINTED DESERT MUSIC )	
CORPORATION, )	
)	
Plaintiffs, )	CIVIL ACTION NO.: 9:16-cv-02562-DCN
)	
v. )	
)	
DAG GATOR GROUP, LLC d/b/a )	
TAILGATORS BAR & GRILLE; and )	
GARY SMITH, individually, )	
)	
Defendants. )	

**SUMMONS IN A CIVIL ACTION**

**TO:** Dag Gator Group, LLC  
d/b/a Tailgators Bar & Grille  
c/o Gary John Smith, Registered Agent  
14 Pointe South Trce  
Bluffton, SC 29910-06559

Gary Smith, individually  
14 Pointe South Trce  
Bluffton, SC 29910-06559

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are in the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address is:

Bernie W. Ellis  
McNair Law Firm, P.A.  
Post Office Box 447  
Greenville, SC 29602

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must file your answer or motion with the court.

Robin L. Blume  
*Clerk of Court*

Date: July 18, 2016

s/John P. Bryan, Jr.

*Signature of Clerk or Deputy Clerk*



9:16-cv-02562-DCN

AO 440 (Rev 06/12) Summons in a Civil Action

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))*

## DATE

Service of the Summons and Complaint was made by me<sup>1</sup>

NAME OF SERVER (PRINT)

TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_  
\_\_\_\_\_
- Other (specify): \_\_\_\_\_  
\_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
*Date**Signature of Server**Address of Server*

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.